

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

New York City District Council of Carpenters Pension Fund, New York City District Council of Carpenters Welfare Fund, New York City District Council of Carpenters Annuity Fund, and New York City District Council of Carpenters Apprenticeship, Journeyman Retraining, Educational and Industry Fund, by their Trustees, Frank Spencer, Douglas J. McCarron, John Ballantyne, Paul Tyznar, Paul O'Brien, Kevin M. O'Callaghan, Catherine Condon, David Meberg, Bryan Winter, and John DeLollis,

Plaintiffs,

- against -

Michael Forde, John Greaney, Joseph Olivieri, Brian Hayes, Michael Mitchell, Finbar O'Neill, K.A.F.C.I., Michael Brennan, Turbo Enterprises, Inc., Terence Buckley, Pitcohn Construction Enterprises, Inc., Gerard McEntee, Pyramid Associates Construction Corp., James Duffy, EMB Contracting Corp., Michael Batalias, Elisavet Batalias, Matthew Kelleher, Brian Carson, Joseph Ruocco, John Stamberger, and Michael Vivenzio,

Defendants.

11 CV 5474 (LAP) (GWG)

John Greaney and Imelda Greaney,

Plaintiffs,

- against -

New York City District Council of Carpenters Pension Fund, New York City District Council of Carpenters Annuity Fund, Plan Administrator of the New York City District Council of Carpenters Pension Fund, Plan Administrator of the New York City District Council of Carpenters Annuity Fund, Board of Trustees of the New York City District Council of Carpenters Pension Fund, and Board of Trustees of the New York City District Council of Carpenters Annuity Fund,

Defendants.

16 CV 3551 (LAP) (GWG)

**RELEASE OF JUDGMENT AS TO JOHN GREANEY ONLY**

WHEREAS, a judgment was entered in the above-captioned proceedings on the 14th day of November, 2018 in favor of the New York City District Council of Carpenters Pension Fund, New York City District Council of Carpenters Welfare Fund, New York City District Council of Carpenters Annuity Fund, and New York City District Council of Carpenters Apprenticeship, Journeyman Retraining, Educational and Industry Fund, by their Trustees, Frank Spencer, Douglas J. McCarron, John Ballantyne, Paul Tyznar, Paul O'Brien, Kevin M. O'Callaghan, Catherine Condon, David Meberg, Bryan Winter, and John DeLollis (collectively, the "Judgment Creditors") and against Michael Forde and John Greaney, jointly and severally, pursuant to the Racketeer Influenced and Corrupt Organizations Act of 1970, 18 U.S.C. §§ 1961-1968, in the amount of \$12,908,998.09, and pursuant to the Employee Retirement Income Security Act of 1974, as amended, 29 U.S.C. §§ 1001-1461, in the amount of \$2,962,480.09, with both of the foregoing components of the judgment to run concurrently (the "Judgment"); and

WHEREAS, subsequently, pursuant to a settlement agreement with John Greaney and Imelda Greaney (to which Michael Forde is not a party), the Judgment Creditors have agreed, among other things, to accept the offset of John Greaney's pension and annuity benefits authorized by paragraph 4 of the Judgment, subject to the rights of Imelda Greaney specified in said settlement agreement, and to release John Greaney (but not Michael Forde) from any other monetary obligations under the Judgment; and it is certified that, with respect to John Greaney, there are no outstanding executions with any Sheriff or Marshall,

THEREFORE, the Judgment Creditors hereby acknowledge that they have accepted the offset of John Greaney's pension and annuity benefits authorized by paragraph 4 of the Judgment, subject to the rights of Imelda Greaney specified in said settlement agreement; and the Judgment Creditors hereby release John Greaney (but not Michael Forde) from any other monetary obligations

under the Judgment; and the Clerk of the Court is hereby authorized and directed to make an entry of such release (as to John Greaney, but not as to Michael Forde) on the docket of said Judgment.

Dated: New York, New York  
January 22, 2019

VIRGINIA & AMBINDER, LLP

By: Marc Tenenbaum  
Marc A. Tenenbaum  
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New York, New York 10004  
(212) 943-9080  
*Attorneys for Judgment Creditors*

STATE OF NEW YORK                    )  
  )  
COUNTY OF NEW YORK            )       ss.:

On the 22 day of January, 2019 before me personally came Marc A. Tenenbaum, Esq., to me known and known to be an attorney employed by the firm of Virginia & Ambinder, LLP, attorneys for the New York City District Council of Carpenters Pension Fund, New York City District Council of Carpenters Welfare Fund, New York City District Council of Carpenters Annuity Fund, and New York City District Council of Carpenters Apprenticeship, Journeyman Retraining, Educational and Industry Fund, by their Trustees, Frank Spencer, Douglas J. McCarron, John Ballantyne, Paul Tyznar, Paul O'Brien, Kevin M. O'Callaghan, Catherine Condon, David Meberg, Bryan Winter, and John DeLollis in the above-entitled action, and to be the same person described in and who executed the within release of judgment and acknowledged to me that he executed the same.

MARTIN CABRERA FOJAS  
NOTARY PUBLIC, STATE OF NEW YORK  
Registration No. 02F06230238  
Qualified in New York County  
Commission Expires November 01, 2022

M. J.  
Notary Public